

Attachment 2: Tree Retention

ISSUE

- How does the City of Renton approach tree retention now?
- What types of standards are needed to formalize a tree retention program?

RECOMMENDATION

Staff recommends adopting code amendments that would require tree retention. The retention standard would be very close to the de facto standard that was established through a Director's Rule in March 2006.

BACKGROUND SUMMARY

The East Renton Plateau Citizens Task Force raised concerns directed at the City's existing tree retention policies. Citizens support a more thorough tree retention policy as a means to address quality development. Tree retention is not mandated in Renton's current development regulations. In fact, the section of code that addresses the issue is aptly titled "Tree Cutting and Land Clearing." Trees are really only required to be retained in critical areas. In the pre-Growth Management era, this seemed adequate, however, now the City is required to accept its fair share of regional growth. As development continues in Renton and surrounding communities, trees and green open spaces have been squeezed out. In most cases, developers find it easier to completely clear a parcel and retain no trees. As a result, there is very little tree canopy in areas of development.

Tree retention is important for a number of reasons. Trees are part of a natural drainage system that allows for ground water recharge and prevents excessive erosion. Developed areas near stands of retained vegetation have fewer storm water concerns because of the intact natural drainage system in such areas. Stands of trees are natural buffers against noise, hot summer sun, and cold winter wind. Trees naturally reduce pollution and provide clean oxygen through the process of transpiration. They also provide habitat and are aesthetically pleasing to many.

As a matter of policy, Renton broadly supports the retention of trees. Comprehensive Plan objective CD-J and Policy CD-45 stress the importance of retaining existing vegetation as part of a citywide landscaping plan. Objective EN-F and Policies EN-24 and 25 discuss the importance of maintaining natural areas to assist with storm water control. The City's 2006-2011 Business Plan Goals similarly state that in order to fulfill its goal to "manage growth through sound urban planning," the City should "uphold a high standard of design and property maintenance throughout the City." Tree retention fits neatly into the policies Renton has adopted to guide the City.

While the City has broad policies supporting tree retention, and a broad authority supporting retention in code, specific implementation and standards are lacking. A Director's Rule issued in March 2006 took a major step in interpreting Renton's tree

retention policies. This rule requires an inventory of all trees 6" or larger in diameter for all land development projects. Using the inventory as a baseline, diseased and damage trees are removed and the rule states that 25 percent of the remaining trees 8" or larger must be retained. If the trees cannot be retained, they are replaced at a one to one ratio. Critical areas and native growth protection easements are excluded from the retention analysis, because 100 percent retention is already required in those areas according to Renton Municipal Code.

Even though the Director's Rule has been useful in establishing a baseline for tree preservation, there have been challenges in implementation. Application of the rule still involves a lot of interpretation on topics such as whether or not retained trees can count toward the landscaping requirements, or if tree retention requirements should be based on net developable area or gross developable area. There is no adequate process for the review of tree retention plans, and no authority to require third party review of tree retention plans. Recent extreme weather events have also resulted in further questions about long term retention and replacement requirements.

Staff reviewed many different tree retention codes from other jurisdictions. The Director's Rule was based on tree retention code in the City of Newcastle. While there have been some implementation challenges, and additional work should be done to refine the standards in the Director's Rule, it is a system that basically works to preserve trees. The proposed changes to the tree retention code would result in a codification of the Director's Rule and the establishment of formal standards for tree retention.

In the proposed code changes, the basic standard for tree retention would be 25 percent, or 25 trees per acre, whichever is greater. All trees 6" in diameter or larger would be inventoried, with the exception of those already in critical areas, critical area buffers, or in native growth protection easements. Any dead, diseased, or damaged trees would be removed from the count before the 25 percent/25 per acre standard was applied to determine the number of protected trees. Trees in proposed roadways or utility easements would be included in the calculation, and a tree could not be double-counted as both a protected tree and a street tree.

In cases where tree retention cannot meet the 25 percent/25 per acre standard, there are options for replacement and replanting. Trees that could not be retained would be replaced at rate of twelve (12) caliper inches of trees for each tree to be replaced. Replacement trees would need to be a minimum of two (2) caliper inches. The 25 trees per acre standard acts as a minimum requirement and ensures that even a lot that has been completely cleared prior to development would be responsible for its share of future tree canopy. It eliminates a loophole that provides an incentive for the clearing, or partial clearing, of property prior to submitting development permits in attempt to avoid tree retention requirements. Replanting of trees to meet the minimum standard would use the same replacement ratio, twelve (12) caliper inches of new trees replanted for each required tree.

It is also important to remove another loophole that works against tree preservation efforts. Currently, the code exempts any lot less than half an acre in size from the tree cutting and land clearing requirements. This means that the majority of the parcels in the City could clear cut every tree on the lot. It could also result in the massive removal of retained, replaced, or replanted trees once the subdivision process was completed. As part of the proposed changes, this exemption would be lowered to 4,500 square foot lots. Anyone with a lot smaller than 4,500 square feet could still clear cut, but those above that size would be subject to the tree cutting limitations already set up in the Renton Municipal Code. This means that property owners with lots over one acre in size could remove up to six (6) healthy trees per year from their properties without a development permit. Property owners with lots between 4,500 square feet and an acre could remove up to three (3) healthy trees per year without a development permit. Property owners who wish to remove more trees than allowed by code would need a permit to do so.

Strengthening tree retention in Renton is the goal of these code amendments. Changes are proposed to various sections of the Renton Municipal Code, such as the Landscape Regulations, Routine Vegetation Management Permit Rules, Submittal Requirements for permits, and several code definitions. These changes are all made to ensure consistency throughout the code for terminology and the application of the proposed tree retention regulations. Additional requirements have also been proposed to the section on Tree Retention to protect retained trees during grading and construction and to allow the Development Services Director the authority to ask for independent, third party review when such review is needed. These proposed changes provide a basis to ensure that the trees planned for retention remain viable through the completion of the project.

CONCLUSION

Given the current rate of development, much of the existing tree canopy in the City of Renton will be lost unless there are regulations in place for tree retention. This is especially important in the East Renton area, which could be annexed in the City in March, if the area favors annexation. There are several large stands of trees and pent-up demand for housing development in that area. The Director's Rule has done an adequate job of tree retention but has drawn attention to the need for codified standards for tree preservation.